

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAYTON COTE,

Plaintiff,

v.

U.S. SILICA COMPANY, NORFOLK
SOUTHERN CORPORATION,
SCHNELL INDUSTRIES, and FB
INDUSTRIES,

Defendants.

No. 4:18-CV-01440

(Chief Judge Brann)

ORDER

NOVEMBER 16, 2021

In accordance with the accompanying Memorandum Opinion, **IT IS
HEREBY ORDERED** that:

1. Defendant Schnell Industries' Motion for Summary Judgment (Doc. 150) is **DENIED**.
2. Defendant FB Industries' Motion for Summary Judgment (Doc. 144) is **DENIED**.
3. Defendant U.S. Silica Company's Motion for Summary Judgment (Doc. 146) is **DENIED**.
4. Defendant Norfolk Southern Corporation's Motion for Summary Judgment (Doc. 143) is **DENIED**.

5. The Court will schedule a telephonic conference call by separate Order.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge